

Express Mail Label No. EV 432654314 US

REMARKS

Upon entry of this Amendment A, claims 1-34 and 46-77 are currently pending and under consideration.

In the Office action mailed June 17, 2004, the Office states that claims 1-45 are pending. While there are 45 claims currently pending, those 45 claims were originally inadvertently numbered 1-34 and 37-47 (with numbers 35 and 36 omitted). It appears the Office simply renumbered the claims originally numbered 37-47 as 35-45. To eliminate any confusion, applicants have cancelled claims 35-45 and resubmitted them as claims 46-56 by way of this amendment. In addition, original claims 35-45 depended from claim 36, which was an omitted number. To alleviate any potential confusion surrounding dependency, new claims 46-56 depend from original claim 34. Support for new claims 46-56 can be found in original claims 35-45.

Support for claims 57-77 may be found, for example, in the specific compounds identified in Example 2. The following table provides a correlation between the claims and specific compounds (Example 2).

Claim	Compound(s)
57	4355, 4363, 4144, 4151, 4234, 4262, 4444, 4474, 4500, 4674, 4979, 4533, 4575, 4656, 4696, 5433, 6246, 4434, 4584, 4624, 4464, 4484, 4524, 4644, 4688, 4566, 5165, 5211, 5225, 4222, 4304, 4424, 4455, 4999, 4969, 4744, 4818, 4164, 4188, 4244, 4411, 4766, 4855, 4904, 4877, 6566, 5466, 6151
58	4355, 4363, 4144, 4155
59	4234, 4262
60	4444, 4474, 4500, 4674, 4979
61	4444, 4474, 4500, 4674, 4979
62	4533, 4575, 4656, 4696
63	4533, 4575, 4656, 4696
64	5433, 6246
65	4434, 4584, 4624, 4464

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Claim	Compound(s)
66	4434, 4584, 4624, 4464
67	4484, 4524, 4644, 4688
68	4484, 4524, 4644, 4688
69	4566, 5165, 5211, 5225
70	4566, 5165, 5211, 5225
71	4222, 4304, 4424, 4455
72	4999, 4969
73	4744, 4818
74	4164, 4188, 4244, 4411, 4766, 4855
75	4904, 4877
76	6566
77	5466, 6151

The Office has rejected claims 1-33 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 158-167 of copending Application No. 09/776,137 (Holton). The Office also rejected claims 33-45 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 128-155 of copending Application No. 09/776,137 (Holton).

Applicants note that since the mailing of the present Office action, copending Application No. 09/776,137 (Holton) has issued as U.S. Patent No. 6,780,879 (Holton).

In order to expedite prosecution, Applicants file herewith a terminal disclaimer disclaiming the amount of any patent term on a patent issuing from this application which extends beyond the patent term of U.S. Patent No. 6,780,879, thus obviating the obviousness-type double patenting rejection.

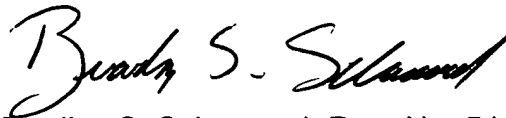
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CONCLUSION

In light of the foregoing, applicants request entry of the claim amendment and new claims and solicit an allowance of the claims. The Examiner is invited to contact the undersigned attorney should any issue remain unresolved.

A check in the amount of \$110.00 is enclosed as payment for the one-month extension of time fee. The Commissioner is hereby authorized to charge any under payment or credit any over payment to Deposit Account No. 19-1345.

Respectfully submitted,



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*Enclosure